

1           71.125 (2) Each electing small business trust, as defined in section 1361 (e) (1)  
2 of the Internal Revenue Code, is subject to tax at the highest rate under s. 71.06 (1),  
3 (1m), (1n) ~~or~~, (1p), (1q), (1qd), (1qh), (1qL), (1qp), or (1qt), whichever taxable year is  
4 applicable, on its income as computed under section 641 of the Internal Revenue  
5 Code, as modified by s. 71.05 (6) to (12), (19) and (20).

6           **\*-1357/2.27\* SECTION 1978.** 71.17 (6) of the statutes is amended to read:

7           71.17 (6) FUNERAL TRUSTS. If a qualified funeral trust makes the election under  
8 section 685 of the Internal Revenue Code for federal income tax purposes, that  
9 election applies for purposes of this chapter and each trust shall compute its own tax  
10 and shall apply the rates under s. 71.06 (1), (1m), (1n) ~~or~~, (1p), (1q), (1qd), (1qh), (1qL),  
11 (1qp), or (1qt).

12           **\*-1260/P3.2\* SECTION 1979.** 71.22 (4) (um) of the statutes is amended to read:

13           71.22 (4) (um) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
14 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after  
15 December 31, 2008, means the federal Internal Revenue Code as amended to  
16 December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
17 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),  
18 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.  
19 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L.  
20 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.  
21 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.  
22 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
23 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
24 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.  
25 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),

(j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, and 513 of P.L. 109-222, ~~section 844 of P.L. 109-280~~, P.L. 109-432, P.L. 110-28, P.L. 110-140, P.L. 110-141, P.L. 110-142, P.L. 110-166, P.L. 110-172, P.L. 110-185, P.L. 110-234, sections 110, 113, and 301 of P.L. 110-245, P.L. 110-246, except section 15316 of P.L. 110-246, P.L. 110-289, P.L. 110-317, P.L. 110-343, except section 301 of division B and section 313 of division C of P.L. 110-343, and P.L. 110-351, and as amendeded by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of P.L. 111-240, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211,

242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, ~~excluding section 844 of P.L. 109-280~~, P.L. 110-245, excluding sections 110, 113, and 301 of P.L. 110-245, and section 15316 of P.L. 110-246, section 301 of division B and section 313 of division C of P.L. 110-343, P.L. 110-458, sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of P.L. 111-240. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2008, do not apply to this paragraph with respect to taxable years beginning after December 31, 2008, except that changes to the Internal Revenue Code made by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of P.L. 111-147, section 1104 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of P.L. 111-240, and changes that indirectly affect the provisions applicable to this subchapter made by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of P.L. 111-147, section 1104 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of P.L. 111-240, apply for Wisconsin purposes at the same time as for federal purposes.

**\*-1260/P3.3\* SECTION 1980.** 71.22 (4m) (sm) of the statutes is amended to read:

71.22 (4m) (sm) For taxable years that begin after December 31, 2008, "Internal Revenue Code," for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, and 513 of P.L. 109-222, ~~section 844 of P.L. 109-280~~, P.L. 109-432, P.L. 110-28, P.L. 110-140, P.L. 110-141, P.L. 110-142, P.L. 110-166, P.L. 110-172, P.L. 110-185, P.L. 110-234, sections 110, 113, and 301 of P.L. 110-245, P.L. 110-246, except section 15316 of P.L. 110-246, P.L. 110-289, P.L. 110-317, P.L. 110-343, except section 301 of division B and section 313 of division C of P.L. 110-343, and P.L. 110-351, and as amendeded by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of P.L. 111-240, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections

1 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
2 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
3 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
4 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
5 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
6 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.  
7 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L.  
8 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,  
9 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,  
10 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,  
11 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,  
12 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
13 P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections  
14 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
15 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding  
16 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it  
17 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.  
18 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, and 513 of P.L.  
19 109-222, P.L. 109-227, and P.L. 109-280, ~~excluding section 844 of P.L. 109-280~~, P.L.  
20 110-245, excluding sections 110, 113, and 301 of P.L. 110-245, and section 15316 of  
21 P.L. 110-246, section 301 of division B and section 313 of division C of P.L. 110-343,  
22 P.L. 110-458, sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5,  
23 section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112,  
24 and 2113 of P.L. 111-240. The Internal Revenue Code applies for Wisconsin  
25 purposes at the same time as for federal purposes. Amendments to the Internal

## SECTION 1980

Revenue Code enacted after December 31, 2008, do not apply to this paragraph with respect to taxable years beginning after December 31, 2008, except that changes to the Internal Revenue Code made by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of P.L. 111-240, and changes that indirectly affect the provisions applicable to this subchapter made by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of P.L. 111-240, apply for Wisconsin purposes at the same time as for federal purposes.

**\*-1051/P2.1\* SECTION 1981.** 71.255 (2m) (d) of the statutes is amended to read:

71.255 (2m) (d) The department shall may not disregard the tax effect of an election under this subsection, or disallow the election, with respect to any controlled group member or members for any year of the election period, ~~if the department determines that the election has the effect of tax avoidance.~~

**\*-1003/P4.1\* SECTION 1982.** 71.255 (6) (a) of the statutes is amended to read:

71.255 (6) (a) Except as provided in pars. (b) ~~and~~, (c), and (d), no tax credit, Wisconsin net business loss carry-forward, or other post-apportionment deduction earned by one member of the combined group, but not fully used by or allowed to that member, may be used in whole or in part by another member of the combined group or applied in whole or in part against the total income of the combined group. A member of a combined group may use a carry-forward of a credit, Wisconsin net business loss carry-forward, or other post-apportionment deduction otherwise allowable under s. 71.26 or 71.45, that was incurred by that same member in a taxable year beginning before January 1, 2009.

**\*-1003/P4.2\* SECTION 1983.** 71.255 (6) (d) of the statutes is created to read:

1           71.255 (6) (d) 1. Starting with the first taxable year beginning after December  
2   31, 2011, and for each of the 20 subsequent taxable years, and subject to the  
3   limitations provided under s. 71.26 (3) (n), for each taxable year that a corporation  
4   that is a member of a combined group has net business loss carry-forward as  
5   computed under s. 71.26 (4) or 71.45 (4) from a taxable year beginning prior to  
6   January 1, 2009, the corporation may, after using such net business loss  
7   carry-forward to offset its own income for the taxable year, use up to 5 percent of the  
8   remaining net business loss carry-forward to offset the income of all other members  
9   of the combined group on a proportionate basis, to the extent such income is  
10   attributable to the unitary business. If the full 5 percent of such net business loss  
11   carry-forward cannot be fully used to offset the income of all other members of the  
12   combined group, the remainder may be added to the portion that may offset the  
13   income of all other members of the combined group in the subsequent year.

14           2. Unless otherwise provided by the department by rule, if the corporation may  
15   no longer be included in the combined group, as determined under this section, the  
16   corporation's net business loss carry-forward shall be available only to that  
17   corporation.

18           3. The department shall promulgate rules to administer this paragraph.

19           \*-1187/P4.414\* **SECTION 1984.** 71.26 (1) (be) of the statutes, as affected by 2011  
20   Wisconsin Act 7, is amended to read:

21           71.26 (1) (be) *Certain authorities.* Income of the University of Wisconsin  
22   Hospitals and Clinics Authority, of the University of Wisconsin-Madison, of the  
23   Health Insurance Risk-Sharing Plan Authority, of the Wisconsin Quality Home  
24   Care Authority, of the Fox River Navigational System Authority, of the Wisconsin  
25   Economic Development Corporation, and of the Wisconsin Aerospace Authority.

**SECTION 1984**

\*\*\*\*NOTE: You instructed us to include the corporate tax exemption in s. 71.26 (1) (b) (political units). However, because the UW is created as an authority, the above exemption is appropriate.

1           **\*-0687/P1.2\* SECTION 1985.** 71.26 (1m) (L) of the statutes is created to read:

2           71.26 (1m) (L) Those issued under s. 231.03 (6), if the bonds or notes are issued  
3           to a person who is eligible to receive bonds or notes from another issuer for the same  
4           purpose for which the person is issued bonds or notes under s. 231.03 (6) and the  
5           interest income received from the other bonds or notes is exempt from taxation under  
6           this subchapter.

7           **\*-1260/P3.4\* SECTION 1986.** 71.26 (2) (b) 22. of the statutes is amended to read:

8           71.26 (2) (b) 22. For taxable years that begin after December 31, 2008, for a  
9           corporation, conduit, or common law trust which qualifies as a regulated investment  
10          company, real estate mortgage investment conduit, real estate investment trust, or  
11          financial asset securitization investment trust under the Internal Revenue Code as  
12          amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102-227,  
13          sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections  
14          1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and  
15          5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of  
16          P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of  
17          P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of  
18          P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910  
19          of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326,  
20          1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301  
21          of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403  
22          (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, and 513 of P.L.  
23          109-222, ~~section 844 of P.L. 109-280~~, P.L. 109-432, P.L. 110-28, P.L. 110-140, P.L.



110-141, P.L. 110-142, P.L. 110-166, P.L. 110-172, P.L. 110-185, P.L. 110-234,  
sections 110, 113, and 301 of P.L. 110-245, P.L. 110-246, except section 15316 of P.L.  
110-246, P.L. 110-289, P.L. 110-317, P.L. 110-343, except section 301 of division B  
and section 313 of division C of P.L. 110-343, and P.L. 110-351, and as amended by  
sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of  
P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of  
P.L. 111-240, and as indirectly affected in the provisions applicable to this  
subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
(c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.  
107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L.  
107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,  
excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,  
excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,  
excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,  
excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections  
1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding

section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, ~~excluding section 844 of P.L. 109-280~~, P.L. 110-245, excluding sections 110, 113, and 301 of P.L. 110-245, and section 15316 of P.L. 110-246, section 301 of division B and section 313 of division C of P.L. 110-343, P.L. 110-458, sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of P.L. 111-240, “net income” means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit, or trust as determined under the Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, and 513 of P.L. 109-222, ~~section 844 of P.L. 109-280~~, P.L. 109-432, P.L. 110-28, P.L. 110-140, P.L. 110-141, P.L. 110-142, P.L. 110-166, P.L.

110-172, P.L. 110-185, P.L. 110-234, sections 110, 113, and 301 of P.L. 110-245, P.L.  
110-246, except section 15316 of P.L. 110-246, P.L. 110-289, P.L. 110-317, P.L.  
110-343, except section 301 of division B and section 313 of division C of P.L. 110-343,  
and P.L. 110-351, and as amended by sections 1401, 1402, 1521, 1522, and 1531 of  
division B of P.L. 111-5, section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152,  
and sections 2111, 2112, and 2113 of P.L. 111-240, and as indirectly affected in the  
provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections  
162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections  
101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.  
107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.  
108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.  
108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.  
109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.  
109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding

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sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, ~~excluding section 844 of P.L. 109-280~~, P.L. 110-245, excluding sections 110, 113, and 301 of P.L. 110-245, and section 15316 of P.L. 110-246, section 301 of division B and section 313 of division C of P.L. 110-343, P.L. 110-458, sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of P.L. 111-240, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 2008, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402

(e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, and 513 of P.L. 109-222, ~~section 844 of P.L. 109-280~~, P.L. 109-432, P.L. 110-28, P.L. 110-140, P.L. 110-141, P.L. 110-142, P.L. 110-166, P.L. 110-172, P.L. 110-185, P.L. 110-234, sections 110, 113, and 301 of P.L. 110-245, P.L. 110-246, except section 15316 of P.L. 110-246, P.L. 110-289, P.L. 110-317, P.L. 110-343, except section 301 of division B and section 313 of division C of P.L. 110-343, and P.L. 110-351, and as amendeded by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112, and 2113 of P.L. 111-240, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections

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1 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
2 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding  
3 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it  
4 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.  
5 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, and 513 of P.L.  
6 109-222, P.L. 109-227, P.L. 109-280, ~~excluding section 844 of P.L. 109-280~~, P.L.  
7 110-245, excluding sections 110, 113, and 301 of P.L. 110-245, and section 15316 of  
8 P.L. 110-246, section 301 of division B and section 313 of division C of P.L. 110-343,  
9 P.L. 110-458, sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5,  
10 section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112,  
11 and 2113 of P.L. 111-240, applies for Wisconsin purposes at the same time as for  
12 federal purposes. Amendments to the Internal Revenue Code enacted after  
13 December 31, 2008, do not apply to this subdivision with respect to taxable years that  
14 begin after December 31, 2008, except that changes to the Internal Revenue Code  
15 made by sections 1401, 1402, 1521, 1522, and 1531 of division B of P.L. 111-5, section  
16 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections 2111, 2112, and  
17 2113 of P.L. 111-240, and changes that indirectly affect the provisions applicable to  
18 this subchapter made by sections 1401, 1402, 1521, 1522, and 1531 of division B of  
19 P.L. 111-5, section 301 of P.L. 111-147, section 1004 (d) of P.L. 111-152, and sections  
20 2111, 2112, and 2113 of P.L. 111-240, apply for Wisconsin purposes at the same time  
21 as for federal purposes.

22 **\*-1465/P3.511\*-1059/P3.257\* SECTION 1987.** 71.28 (1dd) (b) of the statutes  
23 is amended to read:

24 71.28 (1dd) (b) Except as provided in s. 73.03 (35), for any taxable year for  
25 which that person is certified under s. 560.765 (3), 2009 stats., and begins business

1 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, entitled under  
2 s. 560.795 (3) (a), 2009 stats., and begins business operations in a zone under s.  
3 560.795, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009  
4 stats., for each zone for which the person is certified or entitled a person may credit  
5 against taxes otherwise due under this subchapter employment-related day care  
6 expenses, up to \$1,200 for each qualifying individual.

7 **\*-1465/P3.512\* \*-1059/P3.258\* SECTION 1988.** 71.28 (1dd) (e) of the statutes  
8 is amended to read:

9 71.28 (1dd) (e) The credit under this subsection, as it applies to a person  
10 certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts  
11 economic activity in a zone under s. 560.795 (1), 2009 stats., and that is entitled to  
12 tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795  
13 (2), 2009 stats. A credit under this subsection may be credited using expenses  
14 incurred by a claimant on July 29, 1995.

15 **\*-1465/P3.513\* \*-1059/P3.259\* SECTION 1989.** 71.28 (1de) (a) (intro.) of the  
16 statutes is amended to read:

17 71.28 (1de) (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year  
18 for which a person is certified under s. 560.765 (3), 2009 stats., and begins business  
19 operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, entitled under  
20 s. 560.795 (3) (a), 2009 stats., and begins business operations in a zone under s.  
21 560.795, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009  
22 stats., for each zone for which the person is certified or entitled the person may claim  
23 as a credit against taxes otherwise due under this subchapter an amount equal to  
24 7.5% of the amount that the person expends to remove or contain environmental  
25 pollution, as defined in s. 299.01 (4), in the zone or to restore soil or groundwater that

1 is affected by environmental pollution, as defined in s. 299.01 (4), in the zone if the  
2 person fulfills all of the following requirements:

3 **\*-1465/P3.514\* \*-1059/P3.260\* SECTION 1990.** 71.28 (1de) (a) 1. of the  
4 statutes is amended to read:

5 71.28 (1de) (a) 1. Begins the work, other than planning and investigating, for  
6 which the credit is claimed after the area that includes the site where the work is  
7 done is designated a development zone under s. 560.71, 2009 stats., a development  
8 opportunity zone under s. 560.795, 2009 stats., or an enterprise development zone  
9 under s. 560.797, 2009 stats., and after the claimant is certified under s. 560.765 (3),  
10 2009 stats., entitled under s. 560.795 (3) (a), 2009 stats., or certified under s. 560.797  
11 (4) (a), 2009 stats.

12 **\*-1465/P3.515\* \*-1059/P3.261\* SECTION 1991.** 71.28 (1de) (d) of the statutes  
13 is amended to read:

14 71.28 (1de) (d) The credit under this subsection, as it applies to a person  
15 certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts  
16 economic activity in a zone under s. 560.795 (1), 2009 stats., and that is entitled to  
17 tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795  
18 (2), 2009 stats. A credit under this subsection may be credited using expenses  
19 incurred by a claimant on July 29, 1995.

20 **\*-1465/P3.516\* \*-1059/P3.262\* SECTION 1992.** 71.28 (1di) (a) (intro.) of the  
21 statutes is amended to read:

22 71.28 (1di) (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),  
23 for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats.,  
24 to claim tax benefits, any person may claim as a credit against taxes otherwise due  
25 under this chapter 2.5% of the purchase price of depreciable, tangible personal



property, or 1.75% of the purchase price of depreciable, tangible personal property that is expensed under section 179 of the internal revenue code for purposes of the taxes under this chapter, except that:

**\*-1465/P3.517\* \*-1059/P3.263\* SECTION 1993.** 71.28 (1di) (a) 1. of the statutes is amended to read:

71.28 (1di) (a) 1. The investment must be in property that is purchased after the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that is used for at least 50% of its use in the conduct of the person's business operations at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the property is mobile, the base of operations of the property for at least 50% of its use must be a location in a development zone.

**\*-1465/P3.518\* \*-1059/P3.264\* SECTION 1994.** 71.28 (1di) (b) 2. of the statutes is amended to read:

71.28 (1di) (b) 2. If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1), 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit under this subsection exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

**\*-1465/P3.519\* \*-1059/P3.265\* SECTION 1995.** 71.28 (1di) (b) 3. of the statutes is amended to read:

71.28 (1di) (b) 3. Partnerships, limited liability companies and tax-option corporations may not claim the credit under this subsection, but the eligibility for,

1 and amount of, that credit shall be determined on the basis of their economic activity,  
2 not that of their shareholders, partners or members. The corporation, partnership  
3 or limited liability company shall compute the amount of the credit that may be  
4 claimed by each of its shareholders, partners or members and shall provide that  
5 information to each of its shareholders, partners or members. Partners, members  
6 of limited liability companies and shareholders of tax-option corporations may claim  
7 the credit based on the partnership's, company's or corporation's activities in  
8 proportion to their ownership interest and may offset it against the tax attributable  
9 to their income from the partnership's, company's or corporation's business  
10 operations in the development zone; except that partners, members, and  
11 shareholders in a development zone under s. 560.795 (1) (e), 2009 stats., may offset  
12 the credit against the amount of the tax attributable to their income from all of the  
13 partnership's, company's, or corporation's business operations; and against the tax  
14 attributable to their income from the partnership's, company's or corporation's  
15 directly related business operations.

16 **\*-1465/P3.520\* \*-1059/P3.266\* SECTION 1996.** 71.28 (1di) (d) 1. of the  
17 statutes is amended to read:

18 71.28 (1di) (d) 1. A copy of a verification from the department of commerce that  
19 the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

20 **\*-1465/P3.521\* \*-1059/P3.267\* SECTION 1997.** 71.28 (1di) (f) of the statutes  
21 is amended to read:

22 71.28 (1di) (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
23 claim tax benefits becomes ineligible for such tax benefits, that person may claim no  
24 credits under this subsection for the taxable year that includes the day on which the  
25 person becomes ineligible for tax benefits or succeeding taxable years and that

1 person may carry over no unused credits from previous years to offset tax under this  
2 chapter for the taxable year that includes the day on which the person becomes  
3 ineligible for tax benefits or succeeding taxable years.

4 **\*-1465/P3.522\* \*-1059/P3.268\* SECTION 1998.** 71.28 (1di) (g) of the statutes  
5 is amended to read:

6 71.28 (1di) (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to  
7 claim tax benefits ceases business operations in the development zone during any of  
8 the taxable years that that zone exists, that person may not carry over to any taxable  
9 year following the year during which operations cease any unused credits from the  
10 taxable year during which operations cease or from previous taxable years.

11 **\*-1465/P3.523\* \*-1059/P3.269\* SECTION 1999.** 71.28 (1di) (i) of the statutes  
12 is amended to read:

13 71.28 (1di) (i) The development zones credit under this subsection, as it applies  
14 to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that  
15 conducts economic activity in a development opportunity zone under s. 560.795 (1),  
16 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.,  
17 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
18 zone credit under this paragraph may be calculated using expenses incurred by a  
19 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the  
20 development opportunity zone designation of the area in which the claimant  
21 conducts economic activity.

22 **\*-1465/P3.524\* \*-1059/P3.270\* SECTION 2000.** 71.28 (1dj) (am) (intro.) of the  
23 statutes is amended to read:

24 71.28 (1dj) (am) (intro.) Except as provided under par. (f) or s. 73.03 (35), for  
25 any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,

1 for tax benefits, any person may claim as a credit against taxes otherwise due under  
2 this chapter an amount calculated as follows:

3 **\*-1465/P3.525\* \*-1059/P3.271\* SECTION 2001.** 71.28 (1dj) (am) 4. a. of the  
4 statutes is amended to read:

5 71.28 (1dj) (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax  
6 benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b)  
7 of the internal revenue code to exclude wages paid before the claimant is certified for  
8 tax benefits and to exclude wages that are paid to employees for work at any location  
9 that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes  
10 of this subd. 4. a., mobile employees work at their base of operations and leased or  
11 rented employees work at the location where they perform services.

12 **\*-1465/P3.526\* \*-1059/P3.272\* SECTION 2002.** 71.28 (1dj) (am) 4. b. of the  
13 statutes is amended to read:

14 71.28 (1dj) (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax  
15 benefits after December 31, 1991, modify “qualified wages” as defined in section 51  
16 (b) of the internal revenue code to exclude wages paid before the claimant is certified  
17 for tax benefits and to exclude wages that are paid to employees for work at any  
18 location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For  
19 purposes of this subd. 4. b., mobile employees and leased or rented employees work  
20 at their base of operations.

21 **\*-1465/P3.527\* \*-1059/P3.273\* SECTION 2003.** 71.28 (1dj) (am) 4c. of the  
22 statutes is amended to read:

23 71.28 (1dj) (am) 4c. Modify the rule for ineligible individuals under section 51  
24 (i) (1) of the internal revenue code to allow credit for the wages of related individuals  
25 paid by an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal

enterprise, as defined in s. 71.07 (2di) (b) 2., if the Indian business or tribal enterprise is located in a development zone designated under s. 560.71 (3) (c) 2., 2009 stats.

**\*-1465/P3.528\* \*-1059/P3.274\* SECTION 2004.** 71.28 (1dj) (am) 4t. of the statutes is amended to read:

71.28 (1dj) (am) 4t. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, modify section 51 (i) (3) of the internal revenue code so that for leased or rented employees, except employees of a leasing agency certified for tax benefits who perform services directly for the agency in a development zone, the minimum employment periods apply to the time that they perform services in a development zone for a single lessee or renter, not to their employment by the leasing agency.

**\*-1465/P3.529\* \*-1059/P3.275\* SECTION 2005.** 71.28 (1dj) (e) 1. of the statutes is amended to read:

71.28 (1dj) (e) 1. A copy of the claimant's certification for tax benefits under s. 560.765 (3), 2009 stats.

**\*-1465/P3.530\* \*-1059/P3.276\* SECTION 2006.** 71.28 (1dj) (e) 3. a. of the statutes is amended to read:

71.28 (1dj) (e) 3. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, a statement from the department of commerce verifying the amount of qualifying wages and verifying that the employees were hired for work only in a development zone or are mobile employees whose base of operations is in a development zone.

**\*-1465/P3.531\* \*-1059/P3.277\* SECTION 2007.** 71.28 (1dj) (e) 3. b. of the statutes is amended to read:

71.28 (1dj) (e) 3. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits after December 31, 1991, a statement from the department of commerce verifying the amount of qualifying wages and verifying that the employees were hired for work only in a development zone or are mobile employees or leased or rented employees whose base of operations is in a development zone.

**\*-1465/P3.532\* \*-1059/P3.278\* SECTION 2008.** 71.28 (1dj) (i) of the statutes is amended to read:

71.28 (1dj) (i) The development zones credit under this subsection, as it applies to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts economic activity in a development opportunity zone under s. 560.795 (1), 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity zone credit under this paragraph may be calculated using expenses incurred by a claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the development opportunity zone designation of the area in which the claimant conducts economic activity.

**\*-1465/P3.533\* \*-1059/P3.279\* SECTION 2009.** 71.28 (1dL) (a) of the statutes is amended to read:

71.28 (1dL) (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009 stats., for tax benefits, any person may claim as a credit against taxes otherwise due under this subchapter an amount equal to 2.5% of the amount expended by that person to acquire, construct, rehabilitate or repair real property in a development zone under subch. VI of ch. 560, 2009 stats.

1           **\*-1465/P3.534\* \*-1059/P3.280\* SECTION 2010.** 71.28 (1dL) (ag) of the  
2 statutes is amended to read:

3           71.28 (1dL) (ag) If the credit under par. (a) is claimed for an amount expended  
4 to construct, rehabilitate, remodel or repair property, the claimant must have begun  
5 the physical work of construction, rehabilitation, remodeling or repair, or any  
6 demolition or destruction in preparation for the physical work, after the place where  
7 the property is located was designated a development zone under s. 560.71, 2009  
8 stats., and the completed project must be placed in service after the claimant is  
9 certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, "physical  
10 work" does not include preliminary activities such as planning, designing, securing  
11 financing, researching, developing specifications or stabilizing the property to  
12 prevent deterioration.

13           **\*-1465/P3.535\* \*-1059/P3.281\* SECTION 2011.** 71.28 (1dL) (ar) of the statutes  
14 is amended to read:

15           71.28 (1dL) (ar) If the credit under par. (a) is claimed for an amount expended  
16 to acquire property, the property must have been acquired by the claimant after the  
17 place where the property is located was designated a development zone under s.  
18 560.71, 2009 stats., and the completed project must be placed in service after the  
19 claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the  
20 property must not have been previously owned by the claimant or a related person  
21 during the 2 years prior to the designation of the development zone under s. 560.71,  
22 2009 stats. No credit is allowed for an amount expended to acquire property until  
23 the property, either in its original state as acquired by the claimant or as  
24 subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

1           **\*-1465/P3.536\* \*-1059/P3.282\* SECTION 2012.** 71.28 (1dL) (bm) of the  
2 statutes is amended to read:

3           71.28 (1dL) (bm) In calculating the credit under par. (a) a claimant shall reduce  
4 the amount expended to acquire property by a percentage equal to the percentage of  
5 the area of the real property not used for the purposes for which the claimant is  
6 certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the  
7 amount expended for other purposes by the amount expended on the part of the  
8 property not used for the purposes for which the claimant is certified to claim tax  
9 benefits under s. 560.765 (3), 2009 stats.

10           **\*-1465/P3.537\* \*-1059/P3.283\* SECTION 2013.** 71.28 (1dL) (c) of the statutes  
11 is amended to read:

12           71.28 (1dL) (c) If the claimant is located on an Indian reservation, as defined  
13 in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1),  
14 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal  
15 enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit  
16 under par. (a) exceeds the taxes otherwise due under this chapter on or measured by  
17 the claimant's income, the amount of the credit not used as an offset against those  
18 taxes shall be certified to the department of administration for payment to the  
19 claimant by check, share draft or other draft.

20           **\*-1465/P3.538\* \*-1059/P3.284\* SECTION 2014.** 71.28 (1dL) (i) of the statutes  
21 is amended to read:

22           71.28 (1dL) (i) The development zones credit under this subsection, as it  
23 applies to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation  
24 that conducts economic activity in a development opportunity zone under s. 560.795  
25 (1), 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.,



1 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
2 zone credit under this paragraph may be calculated using expenses incurred by a  
3 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the  
4 development opportunity zone designation of the area in which the claimant  
5 conducts economic activity.

6 **\*-1465/P3.539\* \*-1059/P3.285\* SECTION 2015.** 71.28 (1dm) (a) 1. of the  
7 statutes is amended to read:

8 71.28 (1dm) (a) 1. "Certified" means entitled under s. 238.395 (3) (a) 4. or s.  
9 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),  
10 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
11 s. or 560.7995 (4), 2009 stats.

12 **\*-1465/P3.540\* \*-1059/P3.286\* SECTION 2016.** 71.28 (1dm) (a) 3. of the  
13 statutes is amended to read:

14 71.28 (1dm) (a) 3. "Development zone" means a development opportunity zone  
15 under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or  
16 s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
17 560.7995, 2009 stats.

18 **\*-1465/P3.541\* \*-1059/P3.287\* SECTION 2017.** 71.28 (1dm) (a) 4. of the  
19 statutes is amended to read:

20 71.28 (1dm) (a) 4. "Previously owned property" means real property that the  
21 claimant or a related person owned during the 2 years prior to the department of  
22 commerce or the Wisconsin Economic Development Corporation designating the  
23 place where the property is located as a development zone and for which the claimant  
24 may not deduct a loss from the sale of the property to, or an exchange of the property  
25 with, the related person under section 267 of the Internal Revenue Code, except that

1 section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns  
2 any part of the property, rather than 50% ownership, the claimant is subject to  
3 section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

4 **\*-1465/P3.542\* \*-1059/P3.288\* SECTION 2018.** 71.28 (1dm) (f) 1. of the  
5 statutes is amended to read:

6 71.28 (1dm) (f) 1. A copy of ~~a~~ the verification ~~from the department of commerce~~  
7 that the claimant may claim tax benefits under s. 238.395 (3) (a) 4. or s. 560.795 (3)  
8 (a) 4., 2009 stats., or is certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or  
9 s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

10 **\*-1465/P3.543\* \*-1059/P3.289\* SECTION 2019.** 71.28 (1dm) (f) 2. of the  
11 statutes is amended to read:

12 71.28 (1dm) (f) 2. A statement from the department of commerce or the  
13 Wisconsin Economic Development Corporation verifying the purchase price of the  
14 investment and verifying that the investment fulfills the requirements under par.  
15 (b).

16 **\*-1465/P3.544\* \*-1059/P3.290\* SECTION 2020.** 71.28 (1dm) (i) of the statutes  
17 is amended to read:

18 71.28 (1dm) (i) Partnerships, limited liability companies, and tax-option  
19 corporations may not claim the credit under this subsection, but the eligibility for,  
20 and the amount of, that credit shall be determined on the basis of their economic  
21 activity, not that of their shareholders, partners, or members. The corporation,  
22 partnership, or limited liability company shall compute the amount of credit that  
23 may be claimed by each of its shareholders, partners, or members and provide that  
24 information to its shareholders, partners, or members. Partners, members of limited  
25 liability companies, and shareholders of tax-option corporations may claim the

credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's, or corporation's business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax attributable to their income.

**\*-1465/P3.545\* \*-1059/P3.291\* SECTION 2021.** 71.28 (1dm) (j) of the statutes is amended to read:

71.28 (1dm) (j) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits becomes ineligible for such tax benefits, or if a person's certification under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years, and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years.

**\*-1465/P3.546\* \*-1059/P3.292\* SECTION 2022.** 71.28 (1dm) (k) of the statutes is amended to read:

71.28 (1dm) (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5), 239.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone

during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

**\*-1465/P3.547\* \*-1059/P3.293\* SECTION 2023.** 71.28 (1ds) (a) 1. of the statutes is amended to read:

71.28 (1ds) (a) 1. "Development zone" means a zone designated under s. 560.71, 2009 stats.

**\*-1465/P3.548\* \*-1059/P3.294\* SECTION 2024.** 71.28 (1ds) (b) of the statutes is amended to read:

71.28 (1ds) (b) Except as provided in pars. (dm) and (e) and s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009 stats., for tax benefits, any person may claim as a credit against taxes otherwise due under this chapter the taxes paid under subchs. III and V of ch. 77 on their purchases, leases and rentals of eligible property. Partnerships, limited liability companies and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their partners, members or shareholders. The partnership, limited liability company or corporation shall compute the amount of credit that may be claimed by each of its partners, members or shareholders and shall provide that information to its partners, members or shareholders. Partners, members of limited liability companies and shareholders of tax-option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest.

1           **\*-1465/P3.549\* \*-1059/P3.295\* SECTION 2025.** 71.28 (1ds) (d) 1. of the  
2 statutes is amended to read:

3           71.28 (1ds) (d) 1. A copy of the claimant's certification for tax benefits under  
4 s. 560.765 (3), 2009 stats.

5           **\*-1465/P3.550\* \*-1059/P3.296\* SECTION 2026.** 71.28 (1ds) (i) of the statutes  
6 is amended to read:

7           71.28 (1ds) (i) The development zones credit under this subsection, as it applies  
8 to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that  
9 conducts economic activity in a development opportunity zone under s. 560.795 (1),  
10 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats.,  
11 subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity  
12 zone credit under this paragraph may be calculated using expenses incurred by a  
13 claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the  
14 development opportunity zone designation of the area in which the claimant  
15 conducts economic activity.

16           **\*-1465/P3.551\* \*-1059/P3.297\* SECTION 2027.** 71.28 (1dx) (a) 2. of the  
17 statutes is amended to read:

18           71.28 (1dx) (a) 2. "Development zone" means a development zone under s.  
19 238.30 or s. 560.70, 2009 stats., a development opportunity zone under s. 238.395 or  
20 s. 560.795, 2009 stats., an enterprise development zone under s. 238.397 or s.  
21 560.797, 2009 stats., an agricultural development zone under s. 238.398 or s.  
22 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s.  
23 560.7995, 2009 stats.

24           **\*-1195/1.130\* SECTION 2028.** 71.28 (1dx) (a) 5. of the statutes is amended to  
25 read:

71.28 (1dx) (a) 5. "Member of a targeted group" means a person who resides in an area designated by the federal government as an economic revitalization area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work, real pay project position under s. 49.147 (3m), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a ~~food stamp~~ recipient of benefits under the supplemental nutrition assistance program under 7 USC 2011 to 2036, if the person has been certified in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

**\*-1465/P3.552\* \*-1059/P3.298\* SECTION 2029.** 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

71.28 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable year for which the person is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the taxes otherwise due under this chapter the following amounts:

**\*-1465/P3.553\* \*-1059/P3.299\* SECTION 2030.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

1           71.28 (1dx) (b) 2. The amount determined by multiplying the amount  
2           determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number  
3           of full-time jobs created in a development zone and filled by a member of a targeted  
4           group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the  
5           subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

6           **\*-1465/P3.554\* \*-1059/P3.300\* SECTION 2031.** 71.28 (1dx) (b) 3. of the  
7           statutes is amended to read:

8           71.28 (1dx) (b) 3. The amount determined by multiplying the amount  
9           determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
10          of full-time jobs created in a development zone and not filled by a member of a  
11          targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or  
12          the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

13          **\*-1465/P3.555\* \*-1059/P3.301\* SECTION 2032.** 71.28 (1dx) (b) 4. of the  
14          statutes is amended to read:

15          71.28 (1dx) (b) 4. The amount determined by multiplying the amount  
16          determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the  
17          number of full-time jobs retained, as provided in the rules under s. 238.385 or s.  
18          560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.  
19          (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,  
20          and for which significant capital investment was made and by then subtracting the  
21          subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid  
22          under s. 49.147 (3m) (c) for those jobs.

23          **\*-1465/P3.556\* \*-1059/P3.302\* SECTION 2033.** 71.28 (1dx) (b) 5. of the  
24          statutes is amended to read:

1           71.28 (1dx) (b) 5. The amount determined by multiplying the amount  
2           determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number  
3           of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,  
4           2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in  
5           a development zone and not filled by a member of a targeted group and by then  
6           subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
7           reimbursements paid under s. 49.147 (3m) (c) for those jobs.

8           **\*-1465/P3.557\* \*-1059/P3.303\* SECTION 2034.** 71.28 (1dx) (be) of the statutes  
9           is amended to read:

10           71.28 (1dx) (be) *Offset*. A claimant in a development zone under s. 238.395  
11           (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset any credits claimed under this  
12           subsection, including any credits carried over, against the amount of the tax  
13           otherwise due under this subchapter attributable to all of the claimant's income and  
14           against the tax attributable to income from directly related business operations of  
15           the claimant.

16           **\*-1465/P3.558\* \*-1059/P3.304\* SECTION 2035.** 71.28 (1dx) (bg) of the statutes  
17           is amended to read:

18           71.28 (1dx) (bg) *Other entities*. For claimants in a development zone under s.  
19           238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., partnerships, limited liability  
20           companies, and tax-option corporations may not claim the credit under this  
21           subsection, but the eligibility for, and amount of, that credit shall be determined on  
22           the basis of their economic activity, not that of their shareholders, partners, or  
23           members. The corporation, partnership, or company shall compute the amount of  
24           the credit that may be claimed by each of its shareholders, partners, or members and  
25           shall provide that information to each of its shareholders, partners, or members.



1 Partners, members of limited liability companies, and shareholders of tax-option  
2 corporations may claim the credit based on the partnership's, company's, or  
3 corporation's activities in proportion to their ownership interest and may offset it  
4 against the tax attributable to their income.

5 **\*-1465/P3.559\* \*-1059/P3.305\* SECTION 2036.** 71.28 (1dx) (c) of the statutes  
6 is amended to read:

7 71.28 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits  
8 under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009  
9 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009  
10 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395  
11 (3) or s. 560.795 (3), 2009 stats., that person may not claim credits under this  
12 subsection for the taxable year that includes the day on which the certification is  
13 revoked; the taxable year that includes the day on which the person becomes  
14 ineligible for tax benefits; or succeeding taxable years and that person may not carry  
15 over unused credits from previous years to offset tax under this chapter for the  
16 taxable year that includes the day on which certification is revoked; the taxable year  
17 that includes the day on which the person becomes ineligible for tax benefits; or  
18 succeeding taxable years.

19 **\*-1465/P3.560\* \*-1059/P3.306\* SECTION 2037.** 71.28 (1dx) (d) of the statutes  
20 is amended to read:

21 71.28 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.  
22 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s.  
23 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s.  
24 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for  
25 tax benefits ceases business operations in the development zone during any of the

1 taxable years that that zone exists, that person may not carry over to any taxable  
2 year following the year during which operations cease any unused credits from the  
3 taxable year during which operations cease or from previous taxable years.

4 **\*-1465/P3.561\* \*-1059/P3.307\* SECTION 2038.** 71.28 (1dy) (a) of the statutes  
5 is amended to read:

6 71.28 (1dy) (a) *Definition.* In this subsection, “claimant” means a person who  
7 files a claim under this subsection and is certified under s. 238.301 (2) or s. 560.701  
8 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703,  
9 2009 stats.

10 **\*-1465/P3.562\* \*-1059/P3.308\* SECTION 2039.** 71.28 (1dy) (b) of the statutes  
11 is amended to read:

12 71.28 (1dy) (b) *Filing claims.* Subject to the limitations under this subsection  
13 and ss. 238.301 to 238.306 or s. 560.701 to 560.706, 2009 stats., for taxable years  
14 beginning after December 31, 2008, a claimant may claim as a credit against the tax  
15 imposed under s. 71.23, up to the amount of the tax, the amount authorized for the  
16 claimant under s. 238.303 or s. 560.703, 2009 stats.

17 **\*-1465/P3.563\* \*-1059/P3.309\* SECTION 2040.** 71.28 (1dy) (c) 1. of the  
18 statutes is amended to read:

19 71.28 (1dy) (c) 1. No credit may be allowed under this subsection unless the  
20 claimant includes with the claimant’s return a copy of the claimant’s certification  
21 under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant’s notice  
22 of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

23 **\*-1465/P3.564\* \*-1059/P3.310\* SECTION 2041.** 71.28 (1dy) (c) 2. of the  
24 statutes is amended to read:

71.28 (1dy) (c) 2. Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their authorization to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats. A partnership, limited liability company, or tax-option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interests.

**\*-1465/P3.565\* \*-1059/P3.311\* SECTION 2042.** 71.28 (1dy) (d) 2. of the statutes is amended to read:

71.28 (1dy) (d) 2. If a claimant's certification is revoked under s. 238.305 or s. 560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s. 238.302 or s. 560.702, 2009 stats., the claimant may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years and the claimant may not carry over unused credits from previous years to offset the tax imposed under s. 71.23 for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years.

**\*-1465/P3.566\* \*-1059/P3.312\* SECTION 2043.** 71.28 (3g) (a) (intro.) of the statutes is amended to read:

71.28 (3g) (a) (intro.) Subject to the limitations under this subsection and ss. 73.03 (35m) and 238.23 and s. 560.96, 2009 stats., a business that is certified under

s. 238.23 (3) or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes imposed under s. 71.23 an amount equal to the sum of the following, as established under s. 238.23 (3) (c) or s. 560.96 (3) (c), 2009 stats.:

**\*-1465/P3.567\* \*-1059/P3.313\* SECTION 2044.** 71.28 (3g) (b) of the statutes is amended to read:

71.28 (3g) (b) The department of revenue shall notify the department of commerce or the Wisconsin Economic Development Corporation of all claims under this subsection.

**\*-1465/P3.568\* \*-1059/P3.314\* SECTION 2045.** 71.28 (3g) (e) 2. of the statutes is amended to read:

71.28 (3g) (e) 2. The investments that relate to the amount described under par. (a) 2. for which a claimant makes a claim under this subsection must be retained for use in the technology zone for the period during which the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats.

**\*-1465/P3.569\* \*-1059/P3.315\* SECTION 2046.** 71.28 (3g) (f) 1. of the statutes is amended to read:

71.28 (3g) (f) 1. A copy of ~~a~~ the verification from the department of commerce that the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats., and that the business ~~and the department of commerce have~~ has entered into an agreement under s. 238.23 (3) (d) or s. 560.96 (3) (d), 2009 stats.

**\*-1465/P3.570\* \*-1059/P3.316\* SECTION 2047.** 71.28 (3g) (f) 2. of the statutes is amended to read:

71.28 (3g) (f) 2. A statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the purchase price of the investment

1 described under par. (a) 2. and verifying that the investment fulfills the requirement  
2 under par. (e) 2.

3 **\*-1465/P3.571\* \*-1059/P3.317\* SECTION 2048.** 71.28 (3p) (b) of the statutes  
4 is amended to read:

5 71.28 (3p) (b) *Filing claims.* Subject to the limitations provided in this  
6 subsection and s. 93.535 or s. 560.207, 2009 stats., except as provided in par. (c) 5.,  
7 for taxable years beginning after December 31, 2006, and before January 1, 2015, a  
8 claimant may claim as a credit against the taxes imposed under s. 71.23, up to the  
9 amount of the tax, an amount equal to 10 percent of the amount the claimant paid  
10 in the taxable year for dairy manufacturing modernization or expansion related to  
11 the claimant's dairy manufacturing operation.

12 **\*-1465/P3.572\* \*-1059/P3.318\* SECTION 2049.** 71.28 (3p) (c) 2m. a. of the  
13 statutes is amended to read:

14 71.28 (3p) (c) 2m. a. The maximum amount of the credits that may be claimed  
15 under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2007-08 is  
16 \$600,000, as allocated under s. 560.207, 2009 stats.

17 **\*-1465/P3.573\* \*-1059/P3.319\* SECTION 2050.** 71.28 (3p) (c) 2m. b. of the  
18 statutes is amended to read:

19 71.28 (3p) (c) 2m. b. The maximum amount of the credits that may be claimed  
20 by all claimants, other than members of dairy cooperatives, under this subsection  
21 and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2008-09, and in each fiscal year  
22 thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

23 **\*-1465/P3.574\* \*-1059/P3.320\* SECTION 2051.** 71.28 (3p) (c) 2m. bm. of the  
24 statutes is amended to read:

1           71.28 (3p) (c) 2m. bm. The maximum amount of the credits that may be claimed  
2 by members of dairy cooperatives under this subsection and ss. 71.07 (3p) and 71.47  
3 (3p) in fiscal year 2009-10 is \$600,000, as allocated under s. 560.207, 2009 stats., and  
4 the maximum amount of the credits that may be claimed by members of dairy  
5 cooperatives under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year  
6 2010-11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535  
7 or s. 560.207, 2009 stats.

8           **\*-0170/P1.2\* SECTION 2052.** 71.28 (3p) (c) 3. of the statutes is amended to read:

9           71.28 (3p) (c) 3. Partnerships, limited liability companies, tax-option  
10 corporations, and dairy cooperatives may not claim the credit under this subsection,  
11 but the eligibility for, and the amount of, the credit are based on their payment of  
12 expenses under par. (b), except that the aggregate amount of credits that ~~the entity~~  
13 a dairy cooperative may compute shall not exceed \$200,000 for each of the ~~entity's~~  
14 cooperative's dairy manufacturing facilities. A partnership, limited liability  
15 company, tax-option corporation, or dairy cooperative shall compute the amount of  
16 credit that each of its partners, members, or shareholders may claim and shall  
17 provide that information to each of them. Partners, members of limited liability  
18 companies, and shareholders of tax-option corporations may claim the credit in  
19 proportion to their ownership interest. Members of a dairy cooperative may claim  
20 the credit in proportion to the amount of milk that each member delivers to the dairy  
21 cooperative, as determined by the dairy cooperative.

22           **\*-1465/P3.575\* \*-1059/P3.321\* SECTION 2053.** 71.28 (3p) (c) 6. of the statutes  
23 is amended to read:

1           71.28 (3p) (c) 6. No credit may be allowed under this subsection unless the  
2           claimant submits with the claimant's return a copy of the claimant's credit  
3           certification and allocation under s. 93.535 or s. 560.207, 2009 stats.

4           **\*-1465/P3.576\* \*-1059/P3.322\* SECTION 2054.** 71.28 (3q) (a) 1. of the statutes  
5           is amended to read:

6           71.28 (3q) (a) 1. "Claimant" means a person certified to receive tax benefits  
7           under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

8           **\*-1465/P3.577\* \*-1059/P3.323\* SECTION 2055.** 71.28 (3q) (a) 2. of the statutes  
9           is amended to read:

10          71.28 (3q) (a) 2. "Eligible employee" means, for taxable years beginning before  
11          January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who  
12          satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for  
13          taxable years beginning after December 31, 2010, an eligible employee under s.  
14          238.16 (1) (b).

15          **\*-1465/P3.578\* \*-1059/P3.324\* SECTION 2056.** 71.28 (3q) (b) (intro.) of the  
16          statutes is amended to read:

17          71.28 (3q) (b) *Filing claims.* (intro.) Subject to the limitations provided in this  
18          subsection and s. 238.16 or s. 560.2055, 2009 stats., for taxable years beginning after  
19          December 31, 2009, a claimant may claim as a credit against the taxes imposed under  
20          s. 71.23 any of the following:

21          **\*-1465/P3.579\* \*-1059/P3.325\* SECTION 2057.** 71.28 (3q) (b) 1. of the statutes  
22          is amended to read:

23          71.28 (3q) (b) 1. The amount of wages that the claimant paid to an eligible  
24          employee in the taxable year, not to exceed 10 percent of such wages, as determined  
25          ~~by the department of commerce~~ under s. 238.16 or s. 560.2055, 2009 stats.

1           **\*-1465/P3.580\* \*-1059/P3.326\* SECTION 2058.** 71.28 (3q) (b) 2. of the statutes  
2 is amended to read:

3           71.28 (3q) (b) 2. The amount of the costs incurred by the claimant in the taxable  
4 year, as determined under s. 238.16 or s. 560.2055, 2009 stats., to undertake the  
5 training activities described under s. 238.16 (3) (c) or s. 560.2055 (3) (c), 2009 stats.

6           **\*-1465/P3.581\* \*-1059/P3.327\* SECTION 2059.** 71.28 (3q) (c) 2. of the statutes  
7 is amended to read:

8           71.28 (3q) (c) 2. No credit may be allowed under this subsection unless the  
9 claimant includes with the claimant's return a copy of the claimant's certification for  
10 tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

11           **\*-1465/P3.582\* \*-1059/P3.328\* SECTION 2060.** 71.28 (3q) (c) 3. of the statutes  
12 is amended to read:

13           71.28 (3q) (c) 3. The maximum amount of credits that may be awarded under  
14 this subsection and ss. 71.07 (3q) and 71.47 (3q) for the period beginning on January  
15 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of  
16 any credits reallocated under s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats.

17           **\*-1465/P3.583\* \*-1059/P3.329\* SECTION 2061.** 71.28 (3r) (b) of the statutes  
18 is amended to read:

19           71.28 (3r) (b) *Filing claims.* Subject to the limitations provided in this  
20 subsection and s. 238.19 or s. 560.208, 2009 stats., for taxable years beginning after  
21 December 31, 2008, and before January 1, 2017, a claimant may claim as a credit  
22 against the taxes imposed under s. 71.23, up to the amount of the tax, an amount  
23 equal to 10 percent of the amount the claimant paid in the taxable year for meat  
24 processing modernization or expansion related to the claimant's meat processing  
25 operation.



1           **\*-1465/P3.584\* \*-1059/P3.330\* SECTION 2062.** 71.28 (3r) (c) 3. a. of the  
2 statutes is amended to read:

3           71.28 **(3r)** (c) 3. a. The maximum amount of the credits that may be allocated  
4 under this subsection and ss. 71.07 (3r) and 71.47 (3r) in fiscal year 2009-10 is  
5 \$300,000, as allocated under s. 560.208, 2009 stats.

6           **\*-1465/P3.585\* \*-1059/P3.331\* SECTION 2063.** 71.28 (3r) (c) 3. b. of the  
7 statutes is amended to read:

8           71.28 **(3r)** (c) 3. b. The maximum amount of the credits that may be allocated  
9 under this subsection and ss. 71.07 (3r) and 71.47 (3r) in fiscal year 2010-11, and in  
10 each fiscal year thereafter, is \$700,000, as allocated under s. 238.19 or s. 560.208,  
11 2009 stats.

12           **\*-1465/P3.586\* \*-1059/P3.332\* SECTION 2064.** 71.28 (3r) (c) 6. of the statutes  
13 is amended to read:

14           71.28 **(3r)** (c) 6. No credit may be allowed under this subsection unless the  
15 claimant submits with the claimant's return a copy of the claimant's credit  
16 certification and allocation under s. 238.19 or s. 560.208, 2009 stats.

17           **\*-1465/P3.587\* \*-1059/P3.333\* SECTION 2065.** 71.28 (3rm) (b) of the statutes  
18 is amended to read:

19           71.28 **(3rm)** (b) *Filing claims.* Subject to the limitations provided in this  
20 subsection and s. 238.21 or s. 560.209, 2009 stats., for taxable years beginning after  
21 December 31, 2009, and before January 1, 2016, a claimant may claim as a credit  
22 against the taxes imposed under s. 71.23, up to the amount of the tax, an amount  
23 equal to 10 percent of the amount the claimant paid in the taxable year for equipment  
24 that is used primarily to harvest or process woody biomass that is used as fuel or as  
25 a component of fuel.

1           **\*-1465/P3.588\* \*-1059/P3.334\* SECTION 2066.** 71.28 (3rm) (c) 3. of the  
2 statutes is amended to read:

3           71.28 (3rm) (c) 3. The maximum amount of the credits that may be claimed  
4 under this subsection and ss. 71.07 (3rm) and 71.47 (3rm) is \$900,000, as allocated  
5 under s. 238.21 or s. 560.209, 2009 stats.

6           **\*-1465/P3.589\* \*-1059/P3.335\* SECTION 2067.** 71.28 (3rn) (b) of the statutes  
7 is amended to read:

8           71.28 (3rn) (b) *Filing claims.* Subject to the limitations provided in this  
9 subsection and s. ~~506.2056~~ 238.17 or s. 560.2056, 2009 stats., for taxable years  
10 beginning after December 31, 2009, and before January 1, 2017, a claimant may  
11 claim as a credit against the tax imposed under s. 71.23, up to the amount of the tax,  
12 an amount equal to 10 percent of the amount the claimant paid in the taxable year  
13 for food processing or food warehousing modernization or expansion related to the  
14 operation of the claimant's food processing plant or food warehouse.

15           **\*-1465/P3.590\* \*-1059/P3.336\* SECTION 2068.** 71.28 (3rn) (c) 3. a. of the  
16 statutes is amended to read:

17           71.28 (3rn) (c) 3. a. The maximum amount of the credits that may be allocated  
18 under this subsection and ss. 71.07 (3rn) and 71.47 (3rn) in fiscal year 2009-10 is  
19 \$1,000,000, as allocated under s. 560.2056, 2009 stats.

20           **\*-1465/P3.591\* \*-1059/P3.337\* SECTION 2069.** 71.28 (3rn) (c) 3. b. of the  
21 statutes is amended to read:

22           71.28 (3rn) (c) 3. b. The maximum amount of the credits that may be allocated  
23 under this subsection and ss. 71.07 (3rn) and 71.47 (3rn) in fiscal year 2010-11 is  
24 \$1,200,000, as allocated under s. 560.2056, 2009 stats.

1           **\*-1465/P3.592\* \*-1059/P3.338\* SECTION 2070.** 71.28 (3rn) (c) 3. c. of the  
2 statutes is amended to read:

3           71.28 (3rn) (c) 3. c. The maximum amount of the credits that may be allocated  
4 under this subsection and ss. 71.07 (3rn) and 71.47 (3rn) in fiscal year 2011-12, and  
5 in each year thereafter, is \$700,000, as allocated under s. 238.17 or s. 560.2056, 2009  
6 stats.

7           **\*-1465/P3.593\* \*-1059/P3.339\* SECTION 2071.** 71.28 (3rn) (c) 6. of the  
8 statutes is amended to read:

9           71.28 (3rn) (c) 6. No credit may be allowed under this subsection unless the  
10 claimant submits with the claimant's return a copy of the claimant's credit  
11 certification and allocation under s. 238.17 or s. 560.2056, 2009 stats.

12           **\*-1465/P3.594\* \*-1059/P3.340\* SECTION 2072.** 71.28 (3t) (b) of the statutes  
13 is amended to read:

14           71.28 (3t) (b) *Credit.* Subject to the limitations provided in this subsection and  
15 in s. 560.28, 2009 stats., for taxable years beginning after December 31, 2007, a  
16 claimant may claim as a credit, amortized over 15 taxable years starting with the  
17 taxable year beginning after December 31, 2007, against the tax imposed under s.  
18 71.23, up to the amount of the tax, an amount equal to the claimant's unused credits  
19 under s. 71.28 (3).

20           **\*-1465/P3.595\* \*-1059/P3.341\* SECTION 2073.** 71.28 (3t) (c) 1. of the statutes  
21 is amended to read:

22           71.28 (3t) (c) 1. No credit may be claimed under this subsection unless the  
23 claimant submits with the claimant's return a copy of the claimant's certification by  
24 the department of commerce under s. 560.28, 2009 stats., except that, with regard  
25 to credits claimed by partners of a partnership, members of a limited liability

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1 company, or shareholders of a tax-option corporation, the entity shall provide a copy  
2 of its certification under s. 560.28, 2009 stats., to the partner, member, or shareholder  
3 to submit with his or her return.

4 **\*-1465/P3.596\* \*-1059/P3.342\* SECTION 2074.** 71.28 (3w) (a) 2. of the  
5 statutes is amended to read:

6 71.28 (3w) (a) 2. "Claimant" means a person who is certified to claim tax  
7 benefits under s. 238.399 (5) or s. 560.799 (5), 2009 stats., and who files a claim under  
8 this subsection.

9 **\*-1465/P3.597\* \*-1059/P3.343\* SECTION 2075.** 71.28 (3w) (a) 3. of the  
10 statutes is amended to read:

11 71.28 (3w) (a) 3. "Full-time employee" means a full-time employee, as defined  
12 in s. 238.399 (1) (am) or s. 560.799 (1) (am), 2009 stats.

13 **\*-1465/P3.598\* \*-1059/P3.344\* SECTION 2076.** 71.28 (3w) (a) 4. of the  
14 statutes is amended to read:

15 71.28 (3w) (a) 4. "Enterprise zone" means a zone designated under s. 238.399  
16 or s. 560.799, 2009 stats.

17 **\*-1465/P3.599\* \*-1059/P3.345\* SECTION 2077.** 71.28 (3w) (a) 5d. of the  
18 statutes is amended to read:

19 71.28 (3w) (a) 5d. "Tier I county or municipality" means a tier I county or  
20 municipality, as determined by the department of commerce under s. 238.399 or s.  
21 560.799, 2009 stats.

22 **\*-1465/P3.600\* \*-1059/P3.346\* SECTION 2078.** 71.28 (3w) (a) 5e. of the  
23 statutes is amended to read:

1           71.28 (3w) (a) 5e. "Tier II county or municipality" means a tier II county or  
2           municipality, as determined ~~by the department of commerce~~ under s. 238.399 or s.  
3           560.799, 2009 stats.

4           **\*-1465/P3.601\* \*-1059/P3.347\* SECTION 2079.** 71.28 (3w) (b) (intro.) of the  
5           statutes is amended to read:

6           71.28 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations  
7           provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may  
8           claim as a credit against the tax imposed under s. 71.23 an amount calculated as  
9           follows:

10          **\*-1465/P3.602\* \*-1059/P3.348\* SECTION 2080.** 71.28 (3w) (b) 5. of the  
11          statutes is amended to read:

12          71.28 (3w) (b) 5. Multiply the amount determined under subd. 4. by the  
13          percentage determined ~~by the department of commerce~~ under s. 238.399 or s.  
14          560.799, 2009 stats., not to exceed 7 percent.

15          **\*-1465/P3.603\* \*-1059/P3.349\* SECTION 2081.** 71.28 (3w) (bm) 1. of the  
16          statutes is amended to read:

17          71.28 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and  
18          4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
19          560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under  
20          s. 71.23 an amount equal to a percentage, as determined ~~by the department of~~  
21          ~~commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of  
22          the amount the claimant paid in the taxable year to upgrade or improve the  
23          job-related skills of any of the claimant's full-time employees, to train any of the  
24          claimant's full-time employees on the use of job-related new technologies, or to  
25          provide job-related training to any full-time employee whose employment with the

1 claimant represents the employee's first full-time job. This subdivision does not  
2 apply to employees who do not work in an enterprise zone.

3 **\*-1465/P3.604\* \*-1059/P3.350\* SECTION 2082.** 71.28 (3w) (bm) 2. of the  
4 statutes is amended to read:

5 71.28 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and  
6 4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
7 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under  
8 s. 71.23 an amount equal to the percentage, as determined ~~by the department of~~  
9 ~~commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the  
10 claimant's zone payroll paid in the taxable year to all of the claimant's full-time  
11 employees whose annual wages are greater than \$20,000 in a tier I county or  
12 municipality, not including the wages paid to the employees determined under par.  
13 (b) 1., or greater than \$30,000 in a tier II county or municipality, not including the  
14 wages paid to the employees determined under par. (b) 1., and who the claimant  
15 employed in the enterprise zone in the taxable year, if the total number of such  
16 employees is equal to or greater than the total number of such employees in the base  
17 year. A claimant may claim a credit under this subdivision for no more than 5  
18 consecutive taxable years.

19 **\*-1465/P3.605\* \*-1059/P3.351\* SECTION 2083.** 71.28 (3w) (bm) 3. of the  
20 statutes is amended to read:

21 71.28 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and  
22 4., and subject to the limitations provided in this subsection and s. 238.399 or s.  
23 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant  
24 may claim as a credit against the tax imposed under s. 71.23 up to 10 percent of the

1 claimant's significant capital expenditures, as determined ~~by the department of~~  
2 ~~commerce~~ under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

3 **\*-1465/P3.606\* \*-1059/P3.352\* SECTION 2084.** 71.28 (3w) (bm) 4. of the  
4 statutes is amended to read:

5 71.28 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and  
6 3., and subject to the limitations provided in this subsection and s. 238.399 or s.  
7 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant  
8 may claim as a credit against the tax imposed under s. 71.23, up to 1 percent of the  
9 amount that the claimant paid in the taxable year to purchase tangible personal  
10 property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from  
11 Wisconsin vendors, as determined ~~by the department of commerce~~ under s. 238.399  
12 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the  
13 credit under this subdivision and subd. 3. for the same expenditures.

14 **\*-1465/P3.607\* \*-1059/P3.353\* SECTION 2085.** 71.28 (3w) (c) 3. of the statutes  
15 is amended to read:

16 71.28 (3w) (c) 3. No credit may be allowed under this subsection unless the  
17 claimant includes with the claimant's return a copy of the claimant's certification for  
18 tax benefits under s. 238.399 (5) or (5m) or s. 560.799 (5) or (5m), 2009 stats.

19 **\*-1465/P3.608\* \*-1059/P3.354\* SECTION 2086.** 71.28 (3w) (d) of the statutes  
20 is amended to read:

21 71.28 (3w) (d) *Administration.* Subsection (4) (g) and (h), as it applies to the  
22 credit under sub. (4), applies to the credit under this subsection. Claimants shall  
23 include with their returns a copy of their certification for tax benefits, and a copy of  
24 the verification of their expenses, from the department of commerce or the Wisconsin  
25 Economic Development Corporation.

1           **\*-1465/P3.609\* \*-1059/P3.355\* SECTION 2087.** 71.28 (4) (am) 1. of the  
2 statutes is amended to read:

3           71.28 (4) (am) 1. In addition to the credit under par. (ad), any corporation may  
4 credit against taxes otherwise due under this chapter an amount equal to 5 percent  
5 of the amount obtained by subtracting from the corporation's qualified research  
6 expenses, as defined in section 41 of the Internal Revenue Code, except that  
7 "qualified research expenses" include only expenses incurred by the claimant in a  
8 development zone under subch. II of ch. 238 or subch. VI of ch. 560, 2009 stats., except  
9 that a taxpayer may elect the alternative computation under section 41 (c) (4) of the  
10 Internal Revenue Code and that election applies until the department permits its  
11 revocation and except that "qualified research expenses" do not include  
12 compensation used in computing the credit under sub. (1dj) nor research expenses  
13 incurred before the claimant is certified for tax benefits under s. 238.365 (3) or s.  
14 560.765 (3), 2009 stats., the corporation's base amount, as defined in section 41 (c)  
15 of the Internal Revenue Code, in a development zone, except that gross receipts used  
16 in calculating the base amount means gross receipts from sales attributable to  
17 Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and  
18 (dk) and research expenses used in calculating the base amount include research  
19 expenses incurred before the claimant is certified for tax benefits under s. 238.365  
20 (3) or s. 560.765 (3), 2009 stats., in a development zone, if the claimant submits with  
21 the claimant's return a copy of the claimant's certification for tax benefits under s.  
22 238.365 (3) or s. 560.765 (3), 2009 stats., and a statement from the department of  
23 commerce or the Wisconsin Economic Development Corporation verifying the  
24 claimant's qualified research expenses for research conducted exclusively in a  
25 development zone. The rules under s. 73.03 (35) apply to the credit under this



subdivision. The rules under sub. (1d) (f) and (g) as they apply to the credit under that subsection apply to claims under this subdivision. Section 41 (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

**\*-1465/P3.610\* \*-1059/P3.356\* SECTION 2088.** 71.28 (4) (am) 2. of the statutes is amended to read:

71.28 (4) (am) 2. The development zones credit under subd. 1., as it applies to a person certified under s. 238.365 (3) or s. 560.765 (3), 2009 stats., applies to a corporation that conducts economic activity in a development opportunity zone under s. 238.395 (1) or s. 560.795 (1), 2009 stats., and that is entitled to tax benefits under s. 238.395 (3) or s. 560.795 (3), 2009 stats., subject to the limits under s. 238.395 (2) or s. 560.795 (2), 2009 stats. A development opportunity zone credit under this subdivision may be calculated using expenses incurred by a claimant beginning on the effective date under s. 238.395 (2) (a) or s. 560.795 (2) (a), 2009 stats., of the development opportunity zone designation of the area in which the claimant conducts economic activity.

**\*-1465/P3.611\* \*-1059/P3.357\* SECTION 2089.** 71.28 (5b) (a) 2. of the statutes is amended to read:

71.28 (5b) (a) 2. "Fund manager" means an investment fund manager certified under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

**\*-1465/P3.612\* \*-1059/P3.358\* SECTION 2090.** 71.28 (5b) (b) 1. of the statutes is amended to read:

71.28 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject to the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may claim as a credit against the tax imposed under s. 71.23, up to the amount of those taxes, 25 percent of the

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claimant's investment paid to a fund manager that the fund manager invests in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

**\*-1465/P3.613\* \*-1059/P3.359\* SECTION 2091.** 71.28 (5b) (b) 2. of the statutes is amended to read:

71.28 **(5b)** (b) 2. In the case of a partnership, limited liability company, or tax-option corporation, the computation of the 25 percent limitation under subd. 1. shall be determined at the entity level rather than the claimant level and may be allocated among the claimants who make investments in the manner set forth in the entity's organizational documents. The entity shall provide to the department of revenue and to the department of commerce or the Wisconsin Economic Development Corporation the names and tax identification numbers of the claimants, the amounts of the credits allocated to the claimants, and the computation of the allocations.

**\*-0167/P1.3\* SECTION 2092.** 71.28 (5b) (d) 3. of the statutes is amended to read:

71.28 **(5b)** (d) 3. For ~~calendar years beginning~~ investments made after December 31, 2007, if an investment for which a claimant claims a credit under par. (b) is held by the claimant for less than 3 years, the claimant shall pay to the department, in the manner prescribed by the department, the amount of the credit that the claimant received related to the investment.

**\*-1465/P3.614\* \*-1059/P3.360\* SECTION 2093.** 71.28 (5f) (a) 1. (intro.) of the statutes is amended to read:

71.28 **(5f)** (a) 1. (intro.) "Accredited production" means a film, video, broadcast advertisement, or television production, as approved by the department of commerce or the Wisconsin Economic Development Corporation, for which the aggregate salary